IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED	STATES OF AMERICA)		
Plaintiff,) 8:12MJ153)		
v	s.) DETENTION ORDER		
FERMIN	N VEGA-GARDUNO,) }		
	Defendant.	,		
Afte Act	er For Detention or conducting a detention hearing pursual on June 6, 2012, the Court orders the ab 8 U.S.C. § 3142(e) and (i).	nt to 18 U.S.C. § 3142(f) of the Bail Reform bove-named defendant detained pursuant		
The	Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.			
The whice	ch was contained in the Pretrial Services (1) Nature and circumstances of the X (a) The crime: having previous being found in the District United States without the successor in violation of 8 imprisonment. (b) The offense is a crime of (c) The offense involves a nation (d) The offense involves a larical (2) The weight of the evidence again (a) General Factors: (a) General Factors: The defendant a may affect wheth X X The defendant have ties. Y The defendant of the count of the defendant have the	e offense charged: asly been removed from the United States, t of Nebraska after having re-entered the c consent of the Attorney General or his U.S.C. § 1326(a) and subject to two years violence. arcotic drug. age amount of controlled substances, to wite nst the defendant is high. of the defendant including: appears to have a mental condition which her the defendant will appear. as no family ties in the area. as no steady employment. as no substantial financial resources. not a long time resident of the community. does not have any significant community the defendant: use of an alias name. as a history relating to drug abuse. as a history relating to alcohol abuse. as a significant prior criminal record. has a prior record of failure to appear at		

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		Probation Parole Release pending trial, sentence, appeal or completion of
	_	sentence.
(c)	Other F	actors:
()		The defendant is an illegal alien and is subject to deportation.
		The defendant is a legal alien and will be subject to deportation if convicted.
	<u>X</u>	The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal.

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- That, on order of a court of the United States, or on request of an attorney
 for the government, the person in charge of the corrections facility in which
 the defendant is confined deliver the defendant to a United States Marshal
 for the purpose of an appearance in connection with a court proceeding.

DATED: June 6, 2012.

BY THE COURT:

s/ Thomas D. Thalken United States Magistrate Judge